

In *Pit v. Webley*, 2 Bulstr. 72, S. C. Cro. Jac. 321, the Court seems to have been of opinion that this Statute and that of 1 R. 2, c. 15, *q. v.*, prohibit arrests where the matter is between party and party only, but not where the arrest is at the suit of the King. The party there was arrested on a warrant of a justice of the peace, as he was returning from a sermon on a week-day. The privilege extends to a person *in eundo et redeundo* to and from church, Privilege of Priests, 12 Rep. 100. It is said that, though a clergyman ought not to be arrested in any church or church-yard whilst attending divine service, yet the arrest is good in law, the offender being only liable to a penalty, 1 Cov. and Hughes, Dig. 295, tit. Clergyman, (4), and see *Pit v. Webley supra*. Process in Maryland in all civil cases is now by summons, and *a fortiori* such a summons would be good.

Lord Coke says *supra*, that the party grieved may have an action on these Statutes, on the principle that when anything is prohibited by an Act, although the Act does not give an action, yet an action lieth upon it. In *Bac. Abr. Trespass*, D. 3, it is said that the arresting a clergyman under civil process either in going to church to perform divine service, or in returning from thence, on any day, is a false imprisonment, but Mr. Tidd, *Prac.* 219, n. (m) doubts whether any action would be maintainable, but says that if any action did lie, it would be case. Upon a summons **180** there \*can, it seems, be no false imprisonment, see *Arrowsmith v. Mesurier*, 2 N. R. 211, but *quare*, is it not an imprisonment to block up the way in order that the defendant may be forced to listen to the reading of a summons?

## CAP. VI.

Fraudulent Assurances of Lands or Goods to deceive Creditors, shall be void.

*Item*, Because that divers People inherit of divers Tenements, borrowing divers Goods in Money or in Merchandise of divers People of this Realm, do give their Tenements and Chattels to their Friends, by Collusion thereof to have the Profits at their will, and after do flee to the Franchise of *Westminster*, of *St. Martin le Grand* of *London*, or other such privileged Places, and there do live a great time with

*Item* pur ceo qe diverses gentz enheritez des diverses tenementz creanceantz diverses biens en monoie ou en merchandise des plusours gentz de roialme donnour leur tenementz & chateux a leur amys par collusion davoir ent les profitz a leur volente & puis senfuent a la fraunchise de *Westm'* ou seint Martyn le Grant en Loundres ou autres tielx places privilegee & illoeqes vivent long temps a